

VILLAGE OF TRUMANSBURG

VILLAGE OF TRUMANSBURG ORGANIZATIONAL MEETING, PUBLIC HEARING: 2012-2013 BUDGET HEARING LOCAL LAW 1-2012 PUBLIC HEARING & REGULAR BOARD MEETING 4-9-12	Date: April 9, 2012 Time: 7:00 pm Location: <u>Village Hall, 56 E. Main St.</u> <u>Trumansburg, NY 14886</u>
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1. MAYOR APPOINTMENTS:

***Deputy Mayor:* Nottke**

Trustee Commissioners

Fire Commissioner: **Cassetti**
EMS Commissioner: **Nottke**
DPW Commissioner: **Watkins**
Police Commissioner: **Hart**
Youth Commissioner: **Nottke**
Water Commissioner: **Watkins**
Sewer Commissioner: **Watkins**
MSP Liaison:
F.M. Liaison: **Nottke**
TCCOG: **Nottke**
GTCMHIC: **Hart**

3. SLATE OF OFFICERS

2012-2013

Village Clerk	Tammy Morse	4/1/2014
Village Treasurer		
Records Management Officer	Tammy Morse	4/1/2014
Police Records Access Officer	Thomas Ferretti	4/1/2013
Budget Officer		
Receiver of Taxes	Tammy Morse	4/1/2014
Zoning/Code/Fire Enforcement Officer	Ed Hetherington	4/1/2013
Code/Fire Enforcement Officer	Bill Baker	4/1/2013
Village Attorney	David Tyler	4/1/2013
Official Bank & Depository	Tompkins Trust Company	4/1/2013
Official Newspapers	Ithaca Journal/Trumansburg Free Press	4/1/2013
Village Historian	Vacant	4/1/2013
Youth Program Director	Tom Major	4/1/2013

Youth Commission (2 yr)	Sandra Connor (11)	4/1/2014
	Durand VanDoren (11)	4/1/2014

PLANNING BOARD (5 YR)

Jennifer Wofford	3/31/14
Thomas Bennett	3/31/13
Bill Kolberg	3/31/14
Don Schlather	3/31/16
Vacant	3/31/16

ZONING BOARD OF APPEALS (5 YR)

Chairman Timothy Hamilton	3/31/16
Robert Brown	3/31/16
Arthur Goodell	3/31/17
Neil Henninger	3/31/14
Scott Sheavely	3/31/17

COUNTY YOUTH BOARD REP:

MARRIAGE OFFICERS

A. Martin Petrovic	4/2013
Tom Bennett	4/2013
John Hrubos	4/2013
Deborah Nottke	4/2013

3. **OFFICIAL DESIGNATIONS**

- a. Official Newspapers: either/or the Trumansburg Free Press - Ithaca Journal
- b. Official Bank of Deposit: Tompkins Trust Company or other Bank as designated by the Board

4. **MEETINGS**

DATE FOR REGULAR MEETINGS: The Board of Trustees shall meet at least once a month; the date of the Regular Board Meeting shall be the second Monday, at 7:00 pm in the meeting room as follows: with the exception of October (Columbus Day)

The Board of Trustees may by resolution change the scheduled date of any future regular meeting.

June 11, 2012
 July 9, 2012
 August 13, 2012
 September 10, 2012
 October 2012 -- TBD
 November 12, 2012
 December 10, 2012

January 14, 2013
February 11, 2013
March 11, 2013
April 8, 2013
May 13, 2013

SPECIAL MEETINGS:

Special meetings of the Board of Trustees are all those Board meetings other than regular meetings.

A special meeting may be called by the Mayor or any two (2) Trustees upon notice to the entire Board. Notice shall be given by telephone, in person, or in writing; paper or electronic.

QUORUM:

A quorum shall be required to conduct business. A quorum of the (5) five member board of trustees shall be (3) three. In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

EXECUTIVE SESSIONS:

Executive sessions shall be held in accordance with NYS Public Officers Law §105. All executive sessions shall be commenced in a public meeting.

AGENDAS:

The agenda shall be prepared by the Clerk at the direction of the Mayor. The Mayor or any trustee may have an item placed on the agenda. When possible, items for the agenda shall be given to the Clerk at least 2 business days before the meeting; however, items may be placed on the agenda at anytime, including during the meeting.

The agenda shall be prepared by noon the Friday before the day of the meeting. If necessary a supplemental agenda shall be distributed at the beginning of the meeting. The agenda may be amended at the meeting by unanimous consent of the Board

VOTING:

Pursuant to Village Law each member of the Board shall have one vote. The Mayor may vote on any matter but must vote in case of a tie.

A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State law.

An abstention, silence or absence shall be considered a negative vote for the purposes of determining the final vote on a matter.

A vote upon any question shall be taken by oral yeas and nays. Upon the request of any Board member, a vote shall be taken by roll call and the names of the members present and their votes shall be entered in the minutes.

MINUTES:

Minutes shall be taken by the Clerk.

Minutes shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Minutes shall be taken at the executive session of any action that is taken by formal vote which shall consist of a record or summary of the final determination of such action, and the date and vote thereon: provided, however, that such summary need not include any matter which is not required to be made public by the NYS Freedom of Information Law.

Minutes shall also include the following,

- Name of the Board
- Date, place and time of meeting
- Notation of presence or absence of Board members and time of arrival or departure if different from time of call to order and adjournment.
- Name and title of other village officials and employees present and well approximate number of attendees.
- Record of communications presented to the Board
- Record of reports made by Board or other village personnel
- Time of Adjournment
- Signature of Clerk or person who took the minutes if not the Clerk.

Minutes shall not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Board shall resolve to have the Clerk do so.

Minutes shall be approved at the next board meeting. Amendments to the minutes shall require Board approval.

ORDER OF BUSINESS:

1. Call to Order
2. Roll Call
3. Public Comment Period I
4. Reports of Representatives
5. Reports of Department Heads
6. Reports of Trustees
7. Committees
8. Old Business
9. New Business
10. Approval of Bills
11. Approval of Minutes of Previous Meeting
12. Public Comment Period II
13. Executive Session – as needed
14. Adjournment

5. **FREEDOM OF INFORMATION LAW:** As stated by Public Officers Law, Article 6 Sections 84-90.

6. **ADVANCED APPROVAL OF CLAIMS:** The Board of Trustee hereby authorizes and instructs the Treasurer to pay certain recurring charges for public utility services, cleaning services, postage, UPS and freight charges in advance of audit of claims:

WHEREAS the Board of Trustees has determined to authorize payment in advance of audit of claims for public utility services, cleaning services, postage, UPS, freight and express charges;

WHEREAS, all claims shall be presented at the next regular meeting for audit; and whereas, the claimant and officers incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

7. **MILEAGE ALLOWANCE:** The Board of Trustees hereby approves the reimbursement to officers and employees of the Village who use their personal automobiles while performing work duties be reimbursed the current IRS Standard Mileage Reimbursement Rate.

8. **ATTENDANCE AT SCHOOLS AND CONFERENCES:** Pursuant to General Municipal Law 6, Section 77-b, the Board of Trustees hereby designates and empowers the Mayor to authorize attendance at conferences by village officers and employees prior to such attendance, providing that sufficient budget funds are available, and that each request for attendance at conference include the following information:

1. Name, title, and department or requisitioner
2. Name, location and date (s) of event
3. Reason for going (describe benefit to village)
4. A complete budget for the event, including fee, room, meals (if separate) and mileage.

A descriptive flyer describing the event must accompany the travel authorization request.

Following approval of the travel request, with signature of approval from the Department Supervisor, Commissioner and the Mayor, the completed request form will be filed with the Village Treasurer. Whenever a claim for conference expense is submitted by a village officer or employee, the letter of authorization and a copy of the completed request form shall be affixed to the claim for reimbursement.

The Board of Trustees hereby authorized officers and employees of the Village to attend the following schools & conferences: NYCOM Training Schools, seminars put on by New York Dept. of State, meetings of Tompkins County Municipal Officers Association, meetings of the Highway Sup't Assoc., various police training seminars and other appropriate schools, meetings and conferences.

9. **SHARED PUBLIC WORKS SERVICES AGREEMENTS**

WHEREAS, the sharing of highway machinery, equipment and personnel among local governments is consistent with long-existing and established public policy in the State of New York, the implementation of which has been encouraged by the New York State Legislative Commission on Rural Resources and the Counsel's Office of the New York Department of State, and

WHEREAS, the underlying legislative intent for this policy is found in Section 119-m of the General Municipal Law with implementation of this authority provided for in Section 119-o of the General Municipal Law, all of which appears as part of the General Municipal Law Article 5-G, which allows and encourages intermunicipal cooperation on a joint or a contract basis, and

WHEREAS, the Trumansburg Village Board of Trustees has determined it is beneficial for the Village to provide for the reciprocal or joint sharing of use of highway machinery, equipment, personnel, and related services generally with the municipal highway departments of other nearby municipalities, including the Town of Ulysses, the Town of Enfield, the Town of Covert, Trumansburg Central School District, Tompkins County and the State of New York.

WHEREAS, such other neighboring municipalities have or are about to adopt resolutions of their own to effect the type of municipal cooperation as described herein,

NOW THEREFORE BE IT RESOLVED, that the Trumansburg Village Board of Trustees hereby authorizes the Mayor of the Village, pursuant to Article 5-G of the General Municipal Law to enter into agreements of intermunicipal cooperation for the sharing of highway machinery, equipment, personnel, and services, with remuneration among the municipalities to be established consistent with the benefits given and received thereunder, and within existing budget constraints, and

BE IT FURTHER RESOLVED, that the Village's Supervisor of Public Works take such action to implement such agreements consistent with the Village's street and highway needs and the availability of the means to accomplish said agreements of intermunicipal cooperation, with the Village to maintain sufficient liability insurance coverage to protect itself in its involvement with such joint or reciprocal activities.

10. **PROCUREMENT POLICY**

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid and

WHEREAS, comments have been solicited from all officers in the Village of Trumansburg involved in the procurement process, now therefore, be it

RESOLVED, that the Village of Trumansburg does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.

A. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$10,000 and public works contracts under \$20,000; emergency purchases; certain municipal hospital purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional

institutions; purchases under State and County contracts; surplus and second-hand purchases from another governmental entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.

B. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances: purchase contracts over \$10,000 and public works contracts over \$20,000; goods purchased from agencies for the blind or correctional institution pursuant to Section 175-b of the State Finance Law; goods purchased from correctional institutions pursuant to Section 186 of the Correction Law; purchases under State contracts pursuant to Section 104 of the General Municipal Law; purchases under county contracts pursuant to Section 103 (3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy..

C. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

<u>Estimated Amount of Purchase Contract</u>	<u>Method</u>
\$500-999	2 Oral quotations and prior commissioner approval.
\$1000-1,999	2 written/fax quotations and prior approval from commissioner or mayor
\$2000-10,000	3 written/fax quotations or written request for proposal and prior Village Board Approval

<u>Estimate Amount of Public Work Contract</u>	
\$500-2,999	2 Oral quotations
\$3,000-4,999	2 written/fax quotations and prior approval from commissioner or mayor
\$5,000-19,999	3 written/fax quotations or written requests for proposal and prior approval from commissioner or mayor

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will

document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

D. Documentation is required of every action taken in connection with each procurement.

E. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible bidder.

This documentation will include an explanation of how the award will achieve savings or how the bidder was not responsible. A determination that the bidder is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

F. Pursuant to General Municipal Law Section 104-b (2) (f), the procurement policy may contain circumstances when, or types of procurement for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the Village of Trumansburg to solicit quotations or document the basis for not accepting the lowest bid:

- a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category the BOARD of TRUSTEES shall take into consideration the following guidelines: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services or an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing; editing or art work; management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

- b. Emergency purchases pursuant to Section 103 (4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
- c. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the VILLAGE of TRUMANSBURG is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.

- d. Goods or services under **\$500.** The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interest of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded on favoritism.
- e. Sole Source. Competitive bidding is not required under Section 103 of the General Municipal Law in those limited situations when there is only one possible source from which to procure goods and services required in the public interest such as in the case of certain patented goods or services or public utility services. Thus, for example, if a political subdivision, acting in good faith and without intent to arbitrarily inhibit or restrict competition, determines that a particular patented item is required in the public interest and it is further determined that such item is available only from one source so that no possibility of competition exists, competitive bidding may not be required for the procurement of the item.

G. The unintentional failure to comply with the provisions of this section shall not be grounds to void action taken or give to a cause of action against the political subdivision or district or any officers or employees thereof.

H. This policy adopted by the Village Board of Trustees on June 14, 1993 and amended on April 1, 1996, April 6, 1998. Reviewed on April 12, 1999 (no changes). Reviewed on April 10, 2000. Reviewed on 4/9/01 (no changes) Reviewed 4/8/02 (no changes) Reviewed 4/9/03 (no changes) Reviewed 4/12/04, Revised 4/11/05, Revised 4/10/06, Revised 4/16/07, Revised 4/14/08, Revised 4/13/09

Item No. 10 – Alan Vogel – Sidewalk Projects

Item No. 11 – PUBLIC COMMENT I

Item No. 12 – PUBLIC HEARING – Tentative 2012-2013 Budget

Item No. 13 – PUBLIC HEARING – Proposed Local Law 1-2012 Authorization to Request and Render Mutual Police Aid

Item No. 14 –REPORTS FROM REPRESENTATIVES

Item No. 15 –REPORTS FROM DEPARTMENT HEADS

- *ZONING/BUILDING
- *FIRE – Excused, Written Report Provided
- *EMS – Excused, Written Report Provided
- *POLICE
- *DPW/Water/Sewer
- *CLERK

***TREASURER**

***MAYOR**

Item No. 16 – REPORTS FROM COMMISSIONERS

***Fire/Main St. – R. Cassetti**

***Police/ GTCMHIC – R. Hart**

***EMS/Youth/Community/TCCOG/Farmer’s Mkt. – D. Nottke**

***DPW/Water/Sewer – D. Watkins**

Item No. 17 – CORRESPONDENCE

Item No. 18 – OLD BUSINESS

- v Temporary Event Application for Soap Box Derby
- v NYS & Local Retirement – 75e vs. 75i – Resolution -- Watkins

Item No. 19 – NEW BUSINESS

- v Resolution regarding the taxation of natural gas extracted in New York State
- v Youth Recreation Partnership – Nottke
- v Cash Free Business

Item No. 20 – APPROVAL OF MONTHLY BILLS

Item No. 21 – PUBLIC COMMENT PERIOD II

Item No. 22 – EXECUTIVE SESSION – If needed

Item No. 23 -- ADJOURNMENT